

Message Text

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47

ACTION DLOS-07

INFO OCT-01 EUR-25 ISO-00 IO-14 CG-00 CIAE-00 DODE-00

PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01

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EB-11 EPA-04 NSF-04 SCI-06 FEA-02 ACDA-19 AEC-11

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FM USMISSION BERLIN

TO SECSTATE WASHDC 3306

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY REYKJAVIK

USUN 303

C O N F I D E N T I A L BERLIN 0731

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TAGS PBOR

SUBJ LOS: GDR VIEWS

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B. STATE 83133

1. SUMMARY: GOERNER, GDR FOREIGN MINISTRY, BRIEFED MISSION OFFICERS, APRIL 25, ON GENERAL PRINCIPLES GOVERNING GDR APPROACH TO LOS. GOERNER INDICATED GDR WAS PREPARED TO BE FLEXIBLE ON DETAILS OF MOST ISSUES BUT WOULD FOLLOW RATHER FIRM GUIDELINES ON OPEN SEAS, TERRITORIAL SEA, ECONOMIC ZONES AND FREE PASSAGE. END SUMMARY.

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2. IN RATHER LENGTHY DISCUSSION WITH MISSION OFFICERS, APRIL 25,

DR. GUNTER GOERNER, DEPUTY DIRECTOR LEGAL AND TREATIES DEPARTMENT, GDR FOREIGN MINISTRY SAID GDR DELEGATION TO FORTHCOMING LOS CONFERENCE IN CARACAS WOULD BE GUIDED BY FOLLOWING GENERAL PRINCIPLES:

A. OPEN SEAS--WHILE GDR FULLY RECOGNIZES NEED FOR GREATER INTERNATIONAL COOPERATION IN PRESERVING AND EXPLOITING SEAS RESOURCES, IT DETERMINED NOT TO PERMIT ANY UNDUE RESTRICTIONS ON FREEDOM OF NAVIGATION OF OPEN SEAS. IN THIS REGARD GDR FAVORS REITERATION IN SOME FORM OF "FOUR FREEDOMS" ENUNCIATED BY LAW OF SEA CONFERENCE OF GENEVA 1958.

B. TERRITORIAL SEA--SINCE IT UNLIKELY THAT 3 MILE TERRITORIAL SEA WOULD OBTAIN GENERAL SUPPORT, GDR NOW INCLINED TO FAVOR 12 MILE ZONE BUT IS PREPARED TO BE FLEXIBLE SHOULD MAJORITY FAVOR A SOMEWHAT BROADER LIMIT.

C. ECONOMIC ZONES--GDR IS LESS CONCERNED ABOUT PRINCIPLE OF ECONOMIC ZONES AND THEIR SIZE THAN IT IS ABOUT DETAILS OF USE BY AND RIGHTS OF OTHER NATIONS WITHIN SUCH ZONES. WHILE GDR RECOGNIZES THAT CERTAIN STATES HAVE LEGITIMATE ECONOMIC INTERESTS IN CONTIGUOUS WATERS, IT BELIEVES THAT ONCE THOSE INTERESTS SATISFIED, OTHER NATIONS SHOULD HAVE OPPORTUNITY TO EXPLOIT REMAINDER OF RESOURCE. INASMUCH AS MAIN GDR INTEREST IS IN FISHERIES, IT PARTICULARLY CONCERNED THAT LARGE FISHING AREAS NOT BE FORECLOSED TO ITS FLEET SIMPLY TO GUARANTEE MONOPOLY OF COASTAL STATE.

D. FREE PASSAGE --GDR WISHES GUARANTEES THAT WIDENED TERRITORIAL SEA NOT ALTER PRINCIPLE OF FREE PASSAGE FOR MERCHANT SHIPS THROUGH STRAITS OR ARCHIPELAGOES BETWEEN MAJOR SEAS. GDR ALSO FAVORS PEACEFUL PASSAGE OF WARSHIPS, ALTHOUGH IS PREPARED TO ACKNOWLEDGE SOME FORM OF CONTROL BY COASTAL STATES OVER SUCH PASSAGE.

E. SCIENTIFIC RESEARCH--GDR FAVORS FREEDOM OF MARINE SCIENTIFIC RESEARCH OUTSIDE TERRITORIAL SEA, INCLUDING FREE RESEARCH WITHIN ECONOMIC ZONES.

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F. MARINE POLLUTION--GDR RECOGNIZES NEED FOR BETTER ENVIRONMENTAL CONTROLS OVER OPEN SEAS BUT WILL RESIST EFFORTS BY COASTAL STATES TO EXERT DIRECT JURISDICTION OVER VESSEL-SOURCE POLLUTION IN FEAR SUCH AUTHORITY COULD BE USED TO OBSTRUCT FREEDOM OF NAVIGATION.

3. GOERNER CLAIMED NO DECISIONS HAD YET BEEN MADE REGARDING COMPOSITION OF GDR DELEGATION FOR CARACAS CONFERENCE, BUT SAID

APPROXIMATELY 20 GDR EXPERTS WOULD BE EXPECTED TO ATTEND, PROBABLY
LED BY HIGH-LEVEL FOREIGN MINISTRY OFFICIAL.

4. COMMENT: WHILE GOERNER IMPLIED GDR WAS NOT
PREPARED TO COMPROMISE ON ABOVE PRINCIPLES, HE DID SUGGEST GDR
WOULD BE FLEXIBLE IN NEGOTIATING DETAILS OF EACH SPECIFIC
ISSUE. GOERNER DID NOT TIE GDR POSITIONS TO THOSE ANY OTHER
COUNTRY OR BLOC, BUT EXPERIENCE SUGGESTS GDR WILL CLOSELY FOLLOW
SOVIET LEAD ON MOST MAJOR POINTS.KLEIN

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